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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,304	01/22/2004	Yasuhiko Shiomi	1232-4633US1	3091
27123	7590	11/12/2004	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			COUSO, JOSE L	
			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 11/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/761,304	Applicant(s) SHIOMI, YASUHIKO	
	Examiner Jose L. Couso	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-22 is/are allowed.
- 6) ☒ Claim(s) 13-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/603,629.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/22/04</u> . | 6) <input type="checkbox"/> Other: _____ |

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 13-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Topper et al. (U.S. Patent No. 5,157,497).

In regard to claim 13, Topper describes a plurality of pixels arranged to sense an object (see figure 1, element 500 and refer for example to column 5, lines 20-32, the camera has “photo sensitive sensors 530” which correspond to applicant’s plurality of pixels because a photosensitive sensor is composed of a plurality of picture sensing elements which are used to sense an object); and a switch arranged to switch first correction data and second correction data in accordance with a position of a pixel of interest among the plurality of pixels (see figure 2, element 110 and refer for example to column 8, lines 44-60, the microprocessor acts as a switch by controlling the appropriate gain coefficient in the horizontal and vertical direction via adders at the timing corresponding to the image location of a particular pixel to be corrected); the first correction data being commonly used for correcting at least first and second pixels of the plurality of pixels, the second correction data being used for correcting a third pixel of the plurality of pixels (see figure 2 and refer for example to column 9, line 46 through column 11, line 39). Topper provides for a vertical correction first by using the vertical correction memory to commonly correct a plurality of pixels (element 40 in figure 2), these values correspond to applicant’s first correction data. By using the vertical

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correction memory Topper obtains the video correction values as shown in Table 2. The corrected values in this table include at least first and second pixels of the plurality of pixels, such as for example the pixels at location line 1, column 1 and location line 3, column 3. Topper then provides for a horizontal correction by using the horizontal correction memory to commonly correct a plurality of pixels (element 30 in figure 2), these values correspond to applicant's second correction data. By using the horizontal correction memory Topper obtains the video correction values as shown in Table 4. The corrected values in this table include a third pixel of the plurality of pixels, such as for example the pixel at location line 5, column 5.

With regard to claim 14, Topper describes a switch arranged to switch first correction data and second correction data in accordance with a position of a pixel of interest among the plurality of pixels (see figure 2, element 110 and refer for example to column 8, lines 44-60, the microprocessor acts as a switch by controlling the appropriate gain coefficient in the horizontal and vertical direction via adders at the timing corresponding to the image location of a particular pixel to be corrected); the first correction data being commonly used for correcting at least first and second pixels of the plurality of pixels the second correction data being used for correcting a third pixel of the plurality of pixels (see figure 2 and refer for example to column 9, line 46 through column 11, line 39). Topper provides for a vertical correction first by using the vertical correction memory to commonly correct a plurality of pixels (element 40 in figure 2), these values correspond to applicant's first correction data. By using the vertical correction memory Topper obtains the video correction values as shown in Table 2. The

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corrected values in this table include at least first and second pixels of the plurality of pixels, such as for example the pixels at location line 1, column 1 and location line 3, column 3. Topper then provides for a horizontal correction by using the horizontal correction memory to commonly correct a plurality of pixels (element 30 in figure 2), these values correspond to applicant's second correction data. By using the horizontal correction memory Topper obtains the video correction values as shown in Table 4. The corrected values in this table include a third pixel of the plurality of pixels, such as for example the pixel at location line 5, column 5.

As to claim 15, Topper describes switching first correction data and second correction data in accordance with a position of a pixel at interest among the plurality of pixels (see figure 2, element 110 and refer for example to column 8, lines 44-60, the microprocessor acts as a switch by controlling the appropriate gain coefficient in the horizontal and vertical direction via adders at the timing corresponding to the image location of a particular pixel to be corrected); the first correction data being commonly used for correcting at least first and second pixels of the plurality of pixels, the second correction data being used for correcting a third pixel of the plurality of pixels see figure 2 and refer for example to column 9, line 46 through column 11, line 39). Topper provides for a vertical correction first by using the vertical correction memory to commonly correct a plurality of pixels (element 40 in figure 2), these values correspond to applicant's first correction data. By using the vertical correction memory Topper obtains the video correction values as shown in Table 2. The corrected values in this table include at least first and second pixels of the plurality of pixels, such as for

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example the pixels at location line 1, column 1 and location line 3, column 3. Topper then provides for a horizontal correction by using the horizontal correction memory to commonly correct a plurality of pixels (element 30 in figure 2), these values correspond to applicant's second correction data. By using the horizontal correction memory Topper obtains the video correction values as shown in Table 4. The corrected values in this table include a third pixel of the plurality of pixels, such as for example the pixel at location line 5, column 5.

In regard to claim 16, Topper describes switching for correction data and second correction data in accordance with a position of a pixel of interest among the plurality of pixels (see figure 2, element 110 and refer for example to column 8, lines 44-60, the microprocessor acts as a switch by controlling the appropriate gain coefficient in the horizontal and vertical direction via adders at the timing corresponding to the image location of a particular pixel to be corrected); the first correction data being commonly used for correcting at least first and second pixels of the plurality of pixels, the second correction data being used for correcting a third pixel of the plurality of pixels see figure 2 and refer for example to column 9, line 46 through column 11, line 39). Topper provides for a vertical correction first by using the vertical correction memory to commonly correct a plurality of pixels (element 40 in figure 2), these values correspond to applicant's first correction data. By using the vertical correction memory Topper obtains the video correction values as shown in Table 2. The corrected values in this table include at least first and second pixels of the plurality of pixels, such as for example the pixels at location line 1, column 1 and location line 3, column 3. Topper

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then provides for a horizontal correction by using the horizontal correction memory to commonly correct a plurality of pixels (element 30 in figure 2), these values correspond to applicant's second correction data. By using the horizontal correction memory Topper obtains the video correction values as shown in Table 4. The corrected values in this table include a third pixel of the plurality of pixels, such as for example the pixel at location line 5, column 5.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nakazato et al. and Tenenbaum et al. both disclose systems similar to applicant's claimed invention. Shiomi is applicant's U.S. Patent for parent application 09/603,629.

4. Claims 17-22 are allowed.

5. The following is an examiner's statement of reasons for allowance: The prior art of the record fail to teach or suggest singly and/or in combination an image processing method and apparatus which provides for using storing horizontal linear correction data and vertical linear correction data for correcting an image sensed by an image sensing element as prescribed for in the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

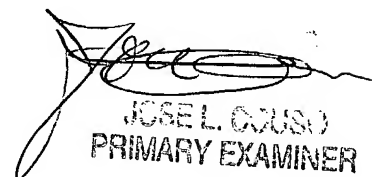
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jose L. Couso whose telephone number is (703) 305-4774. The examiner can normally be reached on Monday through Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Boudreau, can be reached on (703) 305-4706. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8576.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jlc
November 1, 2004


JOSE L. COUSO
PRIMARY EXAMINER